

**UNITED STATES DISTRICT COURT**

## EASTERN DISTRICT OF TEXAS

DEMETRIUS NELLUM,

Plaintiff,

*versus*

JOSEPH B. FOXWORTH,

Defendant.



CIVIL ACTION NO. 9:21-CV-256

## ORDER ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Demetrius Nellum, proceeding *pro se*, filed the above-styled lawsuit. The court previously referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge recommending that a motion for default judgment be denied. To date, the parties have not filed objections.

The court has received the Report and Recommendation, along with the record, pleadings, and all available evidence. After careful review, the court finds that the findings of fact and conclusions of law of the magistrate judge are correct.

Accordingly, the Report and Recommendation of United States Magistrate Judge (#29) is **ADOPTED**. The motion for default judgment (#26) is **DENIED**.

SIGNED at Beaumont, Texas, this 21st day of August, 2024.

Marcia A. Crone

MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE